IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

Bail Appl..No. 5086 of 2007()

CMP.4932/2007 of J.M.F.C.-III,NEYYATTINKARA

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CRIME NO.18/2006 OF NEYYATTINKARA EXCISE RANGE

PETITIONER: ACCUSED:

SREEKUMAR @ KANNAN, S/O.SREEKANDON,
THUMBOTTUKONAM KARAKKATHILKUZHY HOUSE,
NEAR CHAINA BORDER, PALLICHAL VILLAGE,
NEYYATTINKARA TALUK.

BY ADV. SRI.G.SUDHEER

RESPONDENTS: COMPLAINANT:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5086 of 2007

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Dated this the 21st day of August, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 10 litres of arrack on 25.07.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that there is no criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 25/08/2007. The Investigating

Officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months. Thereafter, he shall make himself available for interrogation as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

sj

// True Copy// PA to Judge